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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	011314-1120
First Inventor	John E. Irvine
Title	OPEN NETWORK STRUCTURAL MEMBERS
Express Mail Label No.	EV 269331909 US

10/04 U.S.P.T.O.  
10/04 U.S.P.T.O.  
10/04 U.S.P.T.O.  
10/04 U.S.P.T.O.**APPLICATION ELEMENTS**

See MPEP Chapter 600 concerning utility patent application contents

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)
2.  Applicant claims small entity status. See CFR 1.27
3.  Specification  
(preferred arrangement set forth below)

[Total Pages

20 J

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed. Sponsored R&D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 USC 113) [Total Sheets

5 J

5. Oath or Declaration [Total Pages

1 J

- a.  Newly Executed (original or copy)
- b.  Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
- i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application,  
see 37 CFR 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

Assignee  
Name and Address  
(if applicable)

CMI Limited Company  
2141 Fairwood Avenue  
Columbus, Ohio 43207

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation       Divisional       Continuation-in-part (CIP)      of prior application No: / .

Group / Art Unit:

Prior application information: Examiner \_\_\_\_\_  
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label

24504

(Insert Customer No. or Attach bar code label here)

or

 Correspondence address below

NAME	George M. Thomas Thomas, Kayden, Horstemeyer & Risley, L.L.P.		
ADDRESS	100 Galleria Parkway Suite 1750		
CITY	Atlanta	STATE	Georgia
COUNTRY	U.S.A.	TELEPHONE	770-933-9500

Name (Print/Type)	George M. Thomas	Registration No. (Attorney/Agent)	22,260
Signature			Date Aug 21, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 1.22 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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**FEE TRANSMITTAL**  
**for FY 2003**  
Effective 01/01/2003. Patent fees are subject to annual revisions.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 952.00)

Complete If Known	
Application Number	TBA
Filing Date	Herewith
First Named Inventor	Irvine
Examiner Name	TBA
Group / Art Unit	TBA
Attorney Docket No.	011314-1120

**METHOD OF PAYMENT (check all that apply)**

Check     Credit Card     Money Order     Other     None

 Deposit Account

Deposit Account Number

20-0778

Deposit Account Name

Thomas, Kayden, Horstemeyer Risley, L.L.P.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below     Credit any overpayments

Charge any additional fee(s) during the pendency of this application

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

**FEES CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Paid
Fee Code	Fee Code	Fee Description
1001	2001	Utility Filing Fee
1002	2002	Design Filing Fee
1003	2003	Plant Filing Fee
1004	2004	Reissue Filing Fee
1005	2005	Provisional Filing Fee
SUBTOTAL (1)		(\$750.00)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Extra Claims	Fee From Below	Fee Paid
Total Claims		
29	- 20** =	9 X 18.00 = 162.00
3	- 3** =	0 X 84.00 = 0
		140.00 =
SUBTOTAL (2)		(\$162.00)

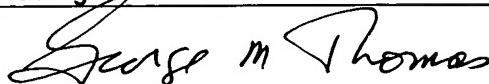
\*\*or number previously paid, if greater; For Reissues, see above

**FEES CALCULATION (continued)****3. ADDITIONAL FEES**  
**Large Entity**      **Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge-late filing fee or oath	
1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive-unavoidable	
1453	1,300	2453	650	Petition to revive-unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee for provisional application	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each add. invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited exam. of a design application	
Other fee (specify)		SUBTOTAL (3) (\$ 40.00)			

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**

Typed or Printed Name	Signature	Registration No.	Telephone Number	Date
George M. Thomas		22,260	770-933-9500	Aug 21, 2003

WARNING: Information on this form may become public. Credit Card Information should not

Be included on this form. Provide credit card information and authorization on PTO-2038

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 USC 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: John E. Irvine

For: OPEN NETWORK STRUCTURAL MEMBERS

**CERTIFICATE OF EXPRESS MAIL**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

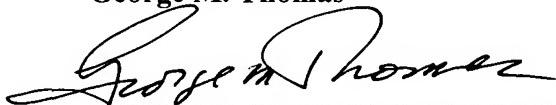
Enclosed for filing in the above case are the following documents:

Return Postcard  
Utility Patent Application Transmittal Page  
Fee Transmittal Page  
Utility Patent Application Consisting Of:  
11 Pages of Specification  
8 Pages of Claims (Claims 1-29)  
1 Page of Abstract  
5 Pages of Informal Drawings (Figs. 1-9)  
Executed Declaration For Patent Application (1 Page)  
Assignment Cover Sheet and Assignment (4 Pages)  
Credit Card Authorization Form in the amount of \$952.00

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

Respectfully submitted,

George M. Thomas



THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.  
100 Galleria Parkway, N.W.  
Suite 1750  
Atlanta, Georgia 30339-5948

Our Docket No: 011314-1120

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I hereby certify that all correspondence listed above are being deposited for delivery to the above addressee, with the United States Postal Service "**EXPRESS MAIL POST OFFICE TO ADDRESSEE**" service under 37 CFR §1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # EV 269331909 US.

Date: 08-21-03



Marianne Boland